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10/645,433	08/18/2003	Kazuya Iyokawa	96790P437	8071

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EXAMINER

EVANS HENCE, ANDREA

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 03/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/645,433

**Applicant(s)**

IYOKAWA ET AL.

**Examiner**

Andrea H. Evans

**Art Unit**

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/26/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claim 2 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
2. Claim 7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, first paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Referring to claim 2, it is unclear what is meant by “an unusual slack” in line 5, since this is contrary to the specification page 7, lines 19-22. The phrase “an unusual slack” would be clearer if replaced with “a value larger than a preset tension value” as described in the specification.
5. The following is a quotation of the first paragraph of 35 U.S.C. 112:  
  
The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Referring to claim 7, the Applicant has claimed "the web output from the potentiometer is not less than a preset value" and "the web output from the potentiometer is not more than a preset value." This does not rule out what occurs when the web output from the potentiometer is equal to the preset value. Support is not found in the specification when the web output from the potentiometer is equal to the preset value. This claim should be rewritten to include the language in the specification on page 7, lines 11-22.

**Examiner's Comments**

7. The Fujishiro (US 6662721) reference was used for purposes of translation only for the Fujishiro (JP 2001-315296) reference.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujishiro (JP 2001-315296) in view of Jurkewitz (5996492).

Art Unit: 2854

Referring to claim 1, Fujishiro teaches a rotary printing press comprising a printing unit (3) for printing a web supplied from a winding roll (1); a folding machine for folding the printed web supplied from said printing unit (See Fujishiro US equivalent 6662721; Column 3, line 38); a wrap-up preventive member (20) retreating from and advancing to a web traveling path between said printing unit (3) and said folding machine, during printing and plate mounting, respectively, to come into contact with the web (See Abstract, lines 6-7); driving means for selectively, rotatably driving said winding roll in a reel-out direction and a winding direction (See Fujishiro US equivalent 6662721; Column 5, lines 3-10; and lines 65-67); and control means for controlling said driving means during plate mounting (See Fujishiro US equivalent 6662721; Column 5, lines 36-39, and lines 65-67).

Fujishiro does not teach tension detecting means for detecting a tension of the web between said winding roll and said printing unit and control means for controlling driving means on the basis of a detection result of said tension detecting means. Jurkewitz teaches tension detecting means (35) for detecting a tension of the web between said winding roll (2) and said printing unit (8a) and control means (26) for controlling driving means on the basis of a detection result of said tension detecting means (See Column 3, lines 60-67 and Column 4, lines 1-4). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fujishiro by including a tension detecting means and a control means in order to lessen the risk of web tearing or breaking while the printing press is being run up to operating speed as taught by Jurkewitz.

10. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujishiro (JP 2001-315296) in view of Jurkewitz (5996492) and further in view of Pavliny et al (5443008).

Art Unit: 2854

Referring to claim 3, Fujishiro teaches a web presser provided between said winding roll and said printing unit and come into contact opposite to each other when feeding the web after plate mounting to temporarily prohibit web feeding from said winding roll (See See Fujishiro US equivalent 6662721, lines 38-40). Fujishiro does not teach a pair of rollers with the above function. Pavliny teaches a pair of rollers (60A, 60B) which come into contact opposite to each other to temporarily prohibit web feeding from a winding roll (See Abstract, lines 9-18). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fujishiro and Jurkewitz by replacing the web presser with a pair of rollers to prevent wrapping of the web around the press rolls as taught by Pavliny.

Referring to claim 4, Fujishiro and Jurkewitz teach all that is claimed as discussed in the above rejections but they do not teach that the pair of rollers comprise a driving roller capable of being rotated and braked selectively and adopted to convey the web from the winding roll to the printing unit and a paper press roller capable of moving close to and separating from said drive roller and said driving roller is braked while in contact opposite to said paper press roller. Pavliny teaches a pair of rollers (60A, (60B) comprising a driving roller (60A) capable of being rotated and braked selectively and adopted to convey the web from the winding roll to the printing unit and a paper press roller (60B) capable of moving close to and separating from said drive roller and said driving roller is braked (See Column 12, lines 29-32) while in contact opposite to said paper press roller (See Figures 5, 6 and 8). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fujishiro and Jurkewitz by replacing the web presser with a pair of rollers and allowing the rollers to engage and disengage to allow the rollers to interlock and grip the web as taught by Pavliny.

11. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujishiro (JP 2001-315296) in view of Jurkewitz (5996492) further in view of Felix (4657164).

Referring to claim 5, Fujishiro and Jurkewitz teach a tension detection means (35) but they do not teach that the tension detection means comprises a detection roller supported movably and caused to touch the web and position detecting means for detecting a position of said detection roller which moves in accordance with the tension of the web. Felix teaches a tension detection means comprising a detection roller (3) supported movably and caused to touch the web and position detecting means (17) for detecting a position of said detection roller which moves in accordance with the tension of the web. (See Column 3, lines 22-27). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fujishiro and Jurkewitz by replacing its tension detection means with the tension detection means of Felix in order to maintain low and even web tension to prevent web breakage as taught by Felix.

Referring to claim 6, Fujishiro and Jurkewitz teach all that is claimed as discussed in the above rejections but they do not teach that the position detecting means comprises a lever for supporting the detection roller to be swingable in a direction perpendicular to a web convey direction and a potentiometer for detecting the tension of the web on the basis of a pivot amount of the lever. Felix teaches a position detecting means comprising a lever (7) for supporting the detection roller to be swingable in a direction perpendicular to a web convey direction (See Column 3, lines 23-26) and a potentiometer (17) for detecting the tension of the web on the basis of a pivot amount of the lever (See Column 3, lines 26-28). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fujishiro and

Art Unit: 2854

Jurkewitz with a position detection means comprising a lever for supporting the detection roller to be swingable in a direction perpendicular to a web convey direction and a potentiometer for detecting the tension of the web on the basis of a pivot amount of the lever adequately detect the position of the detection roller to prevent web breakage as taught by Felix.

### *Conclusion*


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea H. Evans whose telephone number is (571) 272-2162. The examiner can normally be reached on Monday- Friday; 8:30a-5:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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